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Attorneys for Plaintiff Earl Davis

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EARL DAVIS,

Plaintiff,

-against-

SALANDER O'REILLY GALLERIES LLC
f/k/a SALANDER O'REILLY GALLERIES INC.,
and LAWRENCE B. SALANDER

Defendants.

X

Index No. 07 Civ. 4165 (SHS) (DF)

DECLARATION
OF SIMON PARKES

X

I, SIMON PARKES hereby declare:

1. I am an art restorer and conservator with a company named Simon Parkes

Art Conservation, Inc.

2. I have provided restoration services to Salander O'Reilly Galleries for many years. In early 2006, Salander O'Reilly Galleries owed me a significant amount of money for restoration services that I had provided. In lieu of payment, Larry Salander transferred to me a painting by Stuart Davis, titled "(East) Gloucester-Harbor," oil on canvas, c. 1919, 19 inches x 23 inches. Attached is a copy of the release form from the gallery, dated February 3, 2006.

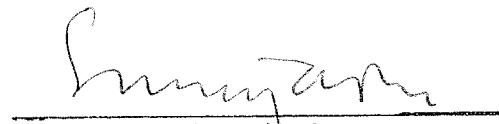
3. When I received a subpoena in August of this year from the law firm Flemming Zulack Williamson Zauderer LLP, asking about Stuart Davis works of art, I promptly

returned "(East) Gloucester-Harbor" to the gallery. Attached is a copy of the receipt from the gallery dated August 15, 2007.

4. No one from the gallery contacted me between July 1, 2007 and August 15, 2007 about whether I knew the location of any Stuart Davis works of art. Instead, I returned the painting because the subpoena I received suggested to me that Larry Salander's giving it to me may not have been appropriate.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September 6, 2007.



Simon Parkes